



Attorney Docket: 381NP/43716
PATENT

#7
11-6-98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECHNOLOGY CENTER 3700

Applicants: Hiroyuki YAMADA et al.
Serial No.: 08/922,318 Group Art Unit: 3747
Filed: September 3, 1997 Examiner: T. ARGENBRIGHT
Title: A THROTTLE VALVE CONTROL DEVICE FOR AN INTERNAL
COMBUSTION ENGINE

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

November 2, 1998

Sir:

The following is responsive to the Office Action dated
October 1, 1998.

REMARKS

Applicants herewith provisionally elect with traverse Claims
1-8 (Group I).

Reconsideration of the restriction requirement is requested
on grounds that the Patent and Trademark Office has not
demonstrated independence and/or distinctness within the meaning
of 35 U.S.C. § 121. In particular the claims of Group I and
Group II are drawn to a throttle valve control device which
controls the amount of intake air in an I.C. engine. The Office
Action does not make a prima facie case showing that the throttle
valve control device in Claim 9 has separate utility from the
device in Claims 1-8.